

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation
SiRT File # 2021-001
Referral from
RCMP
January 6, 2021

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Director
February 19, 2021

SiRT was contacted on January 6, 2021 by the Risk Manager at the RCMP Operational Communication Centre and advised of a gunshot injury suffered by the Affected Party (AP) when the Subject Officer (SO) attempted to prevent the AP from committing suicide. An investigation was commenced that day and concluded on January 26, 2021.

The following evidence was obtained, reviewed and considered in the preparation of this report: audios statements of three Civilian Witnesses (CW), closely associated with the AP, text messages between the AP and two of the CWs, audio video statements of two Witness Officers (WO1, WO2), audio video statement of the SO, audio video footage from a body camera worn by the SO, Forensic Identification Section scene sketches, plan drawing, photographs and report.

Facts:

The AP communicated his intention to self-harm with his uncle and another close associate via text messages. The police were notified, and the two WOs attended the AP's residence where they found him in the garage. The AP's uncle was also present and witnessed the entire interaction between the AP and the police. The SO arrived shortly after the arrival of the WOs.

The AP was sitting on a chair, drinking vodka coolers, and holding a high-powered rifle between his legs pointed at his head. At one point the AP had the barrel of the rifle in his mouth. WO1 screamed at the AP not to do it and the AP's uncle also pleaded with him not to do it. The AP removed the rifle from his mouth but continued pointing it at his head.

WO1 and the SO attempted, for quite some time, to de-escalate the situation by talking with the AP who listened but showed no interest in altering his course of action. The AP told the police to leave and said, "this is going to happen, it's going to be messy, you guys don't want to see this, this is not for you". The AP showed no indication whatsoever of wanting to harm the police. His stated intent was to harm himself.

The SO was standing behind WO1 and partly out of the AP's line of sight. The SO whispered to WO1 that he would deploy his Conducted Energy Weapon (CEW) once the AP looked away. At one point the AP looked away. The SO deployed his taser and simultaneously rushed toward the AP. The taser probes missed their mark but distracted the AP long enough for the SO to reach the rifle and move it away from the AP's head. As the SO did this the AP fired the rifle. The shot grazed the left side of the AP's neck and collarbone.

Once the firearm had been secured the officers applied first aid and called for an ambulance to attend the scene. The officers applied first aid until the arrival of the paramedics. The AP was taken to the hospital, treated for his physical wound and released the following morning despite his suicidal behaviour, and hospital personnel being made aware of his struggles with depression, addictions, and prior suicidal ideation.

Conclusion:

The purpose of this SiRT investigation was to determine whether the actions of the SO given the facts in these circumstances justified criminal charges against the SO.

The most compelling, accurate and unbiased evidence of what occurred comes from two sources; the audio-video footage captured by the SO's own personal body camera and the statement of the AP's uncle.

The SO's body camera was activated from the time they arrived at the scene and captured the entire interaction between the police officers and the AP. The AP's uncle was present throughout the time the police dealt with the AP. He observed their actions and heard what they said. WOI and the SO both attempted to dissuade the AP from taking his own life by talking to and reasoning with the AP. Despite their efforts and the pleas of his uncle, the AP did not deviate from his stated intention.

Evidence that the SO did nothing to justify the laying of a criminal charge comes not only from the body camera footage but also from the statement of the AP's uncle, a person who admitted to the investigator that he does not like the police because of previous encounters with them. The AP's uncle stated the following to the investigator; "they (the police) were wonderful, they didn't do anything wrong if that's what you're thinking, he wouldn't be here if it wasn't for them, they did everything they could to talk him down, I honestly think if they didn't rush him he wouldn't be here today, they did everything right".

The totality of the evidence clearly establishes that the SO did not commit a criminal offence. Therefore, no charges are warranted against the officer.